

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)	
)	
TERRANCE LAVELL KEMP and)	BANKRUPTCY NO. 04-60790 JPK
ELIZABETH JANE KEMP,)	Chapter 13
)	
Debtors.)	

ORDER REGARDING STAY RELIEF AND ABANDONMENT

This matter came before the Court for hearing on October 24, 2005 on the motion for stay relief and abandonment filed on September 9, 2005 by Countrywide Home Loans. The creditor appears by counsel Michael Kulak; the Chapter 13 Trustee appears by Attorney Julia M. Hoham; the debtors fail to appear, either in person or by counsel.

The Court finds, in accordance with consent of counsel for the creditor, that the debtors should be provided with an opportunity to cure their default to the creditor under the terms of their chapter 13 plan.

The Court further finds that as of October 19, 2005, the debtors have a post-arrearage owed to the creditor in the amount of \$5,030.52, comprised of post-petition payments due for August, 2005 through October, 2005 in the amount of \$1,399.61 each; late charges in the amount of \$223.92; and attorneys fees of \$450.00 and costs of \$157.77.

IT IS ORDERED that the debtors shall cure the post-petition arrearage amount of \$5,030.52 by means of six equal installment payments of \$838.42 each, those payments to be due on November 15, 2005; December 15, 2005; January 15, 2006; February 15, 2006; March 15, 2006 and April 15, 2006.

IT IS FURTHER ORDERED that the debtors shall continue to make all regular payments when due upon the first day of each month, beginning with the November 1, 2005 regular payment.

IT IS FURTHER ORDERED that all payments to be made pursuant to this order shall be

made to Countrywide Home Loans, Inc. directly.

IT IS FURTHER ORDERED that in the event that the debtors fail to make a timely payment under the terms of this order, Countrywide Home Loans, Inc. may file a Notice of Default with the Court and obtain the relief sought in the motion filed on September 9, 2005, without further notice or hearing.

IT IS FURTHER ORDERED that in the event that the debtors subsequently convert to any other chapter of the Bankruptcy Code or the debtors' case is dismissed, the provisions of this order shall be of no continuing effect.

Dated at Hammond, Indiana on November 2, 2005.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtors, Attorney for Debtors
Trustee
U.S. Trustee
Attorney for Creditor